

03-20-06

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Docket No.: 64702 (70904)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: H. Deguchi, et al.

Application No.: 10/562,080

Confirmation No.: N/A

Filed: December 22, 2005

Art Unit: Not Yet Assigned

For: NOZZLE PLATE AND METHOD OF
MANUFACTURING THE SAME

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 (Express Mail Label No: EV 754870327 US), and is addressed to Mail Stop: AMENDMENT, Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 on March 16, 2006.

By Kathy A. Grindrod
 Kathryn A. Grindrod

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references/documents listed on the attached PTO/SB/08a/b. It is respectfully requested that these references/documents be expressly considered during the prosecution of this application, and that these references/documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

I. COPIES

a. Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

b. This application relies under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. _____, filed on _____. The references listed on the attached Form PTO/SB08a/b were submitted to, and/or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application.

II. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

a. Except as may be indicated below in (b), all of the patents, publications or other information submitted herewith are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).

b. A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
See English language Abstracts attached to each of the Japanese language documents cited and provided herewith.

Japanese Application Publication No. JP 9-216368 was submitted as part of an Information Disclosure Statement filed in this case on 22 December 2005. Attached hereto as item CA is Applicants' English language discussion of the relevance of JP 9-216368 to the above-identified application.

c. The following additional information is provided for the Examiner's consideration:

US Patent publication 5,589,083 (see item AA) corresponds to JP 07-201806 (see Item BB); US Patent publication 5,646,662 (see item AB) corresponds to JP 05-177834 (see Item BI); US Patent publication 2004/0084403 (see item AC) corresponds to JP 2004-034533 (see Item BM).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

FEES

III. **THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)**
(check one box)

a. within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1). No fee or certification is required.

b. within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2). No fee or certification is required.

c. before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

IV. **THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):**
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

a. No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. §1.17(p).

OR

b. See the certification below. No fee is required.

V. **STATEMENT UNDER 37 C.F.R. § 1.97(e)**
(check only one box)

The undersigned hereby states that

a. each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

b. _____ no item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

c. _____ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

_____ Please charge Deposit Account No. 04-1105 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

X _____ No fee is required.

X _____ Applicant believes that additional fees beyond those submitted herewith are not required in connection with the consideration of this submission. However, if for any reason a further fee is required, a fee paid is inadequate or a credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. 04-1105, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

If the Examiner has any questions concerning this Information Disclosure Statement, he/she is requested to contact the undersigned. Further, if it is determined that this Information Disclosure Statement has been filed under the wrong rule, the United States Patent and Trademark Office is requested to consider this Information Disclosure Statement under the proper rule, with a petition if necessary, and to charge the appropriate fee to Deposit Account No. 04-1105.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 64702 (70904). A duplicate copy of this paper is enclosed.

Dated: March 16, 2006

Respectfully submitted,

By David A. Tucker

David A. Tucker

Registration No.: 27,840

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Attorney for Applicant

535424



Application No. (if known): 10/562,080

Attorney Docket No.: 64702 (70904)

Certificate of Express Mailing Under 37 CFR 1.10

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on March 16, 2006
Date

Kathryn A. Grindrod
Signature

Kathryn A. Grindrod

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 517-5534

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Information Disclosure Statement (6 pages)
Form PTO/SB/08a/b (w/15 References) (1 page)
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PTO/SB/08aB (07-05)

Approved for use through 07/31/2005. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

Complete if Known

| | |
|------------------------|--------------------------------------|
| Application Number | 10/562,080 |
| Filing Date | December 22, 2005 |
| First Named Inventor | Haruhiko Deguchi, et al. |
| Art Unit | Not Yet Assigned 2853 |
| Examiner Name | Not Yet Assigned Juanita D. Stephens |
| Attorney Docket Number | 64702 (70904) |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--------------------|--------------------------------|--|---|
| /J.S./ | AA* | US-5,589,083 | 12-31-1996 | Kun-Young Ahn, et al. | |
| /J.S./ | AB* | US-5,646,662 | 07-08-1997 | Tsuyoshi Kitahara | |
| /J.S./ | AC* | US-2004/0084403-A1 | 05-06-2004 | Norio Okhuma | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ² -Number ³ -Kind Code ⁴ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|---|
| /J.S./ | BA | JP-2000-185407 | 07-04-2000 | | ✓ |
| | BB | JP-07-201806 | 08-04-1995 | | ✓ |
| | BC | JP-03-239559 | 10-25-1991 | | ✓ |
| | BD | JP-2001-018399 | 01-23-2001 | | ✓ |
| | BE | JP-63-001551 | 01-06-1988 | | ✓ |
| | BF | JP-63-256454 | 10-24-1988 | | ✓ |
| /J.S./ | BG | JP-06-206315 | 07-26-1994 | | ✓ |
| | BH | JP-2000-218792 | 08-08-2000 | | ✓ |
| | BI | JP-05-177834 | 07-20-1993 | | ✓ |
| | BJ | JP-63-145040 | 06-17-1988 | | ✓ |
| | BK | JP-2001-277502 | 10-09-2001 | | ✓ |
| | BL | JP-2001-239671 | 09-04-2001 | | ✓ |
| | BM | JP-2004-034533 | 02-05-2004 | | ✓ |
| /J.S./ | BN | JP-2000-196206 | 07-18-2000 | | ✓ |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not submitted (under 37 CFR 1.56(a)(2)(B)) because that application was filed after June 30, 2005 or is available in the Office. *Applicant's unique citation designation number (optional). *GIVEN NAME: Complete Patent Document as indicated in the 1449A of MPEP 601.4. *Emperor's name is indicated by the two-letter code (WIPO Standard ST.3). *For Japanese patent documents, the indication of the name of the Emperor must precede the serial number of the patent document. ³Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁴Applicant is to place a check mark here if English language Translation is attached. Abstract only.

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|--------------------|-----------------------|---|----------------|
| /J.S./ | CA | Applicant's English language discussion of JP 9-216368. | ✓ |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

| | | | |
|------------------------------|---------------------------------|-----------------|------------|
| Examiner Signature 353421 | /Juanita Stephens/ (12/21/2008) | Date Considered | 12/21/2008 |
|------------------------------|---------------------------------|-----------------|------------|